



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,810	09/29/2003	Andrew John Farnsworth	1578.619(PUS-1155)	2209

54120 7590 12/14/2006

RESEARCH IN MOTION, LTD
102 DECKER CT.
SUITE 180
IRVING, TX 75062

EXAMINER

VU, MICHAEL T

ART UNIT PAPER NUMBER

2617

DATE MAILED: 12/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/673,810	Applicant(s) FARNSWORTH, ANDREW JOHN	
	Examiner Michael Vu	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 4, 6-9, 11 and 13-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2, 4, 6-9, 11, 13-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's Remarks/Arguments filed October 27, 2006, have been fully considered but they are not persuasive.

On page 5 of Applicant's Remarks, Applicant argues that "Sarkkinen fails to either teach or suggest clearing from the User Equipment (UE) any record of a cell identifier" on page 5, lines 23-24.

In response, the examiner has been carefully reviewed the Applicant's Remark. However, the examiner must give the broadest reasonable interpretation to all claims presented that Sarkkinen clearly disclosed the User Equipment ID or Subscriber ID in which record is required to identify the User Equipment in a way **such as the updating and the cleaning of the record can be made based on User Equipments' ID** (See Sarkkinen paragraph [0041]).

Therefore, the argued limitations are the same as disclosed by the reference or the limitations are written broad such that they read on the cited art, rejections are maintained as repeated below:

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 6-9, 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maggenti (US 2003/0012149) in view of Sarkkinen (US 2003/0119533).

Regarding **claims 1 and 8**, Maggenti teaches a method of processing messages received by a device from a network (Figs. 1-2, [0033-0039]), the method comprising: receiving a message at the device that indicates that the device should be in a dedicated channel state [0006],

but is silent on wherein the message is **one of** the following: a Cell Update Confirm message or a URA Update Confirm message or RRC Connection setup message; and, in response to the message, clearing from the device any record of a cell identifier.

However, Sarkkinen teaches a method and apparatus for keeping track of User equipment (UE) locations for performing multicast services in a network that includes a Radio Resource Controller (RRC) connection in response to the message, updating and cleaning or clearing or deleting of the record can be made based on User Equipments' identification (see Figs. 1-12, [0005-0009, 0034, 0041-0042, 0077]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Maggenti, such that wherein the message is **one of** the following: a Cell Update Confirm message or a URA Update Confirm message or RRC Connection setup message; and, in response to the message, clearing from the device any record of a cell identifier, for allowing the Radio network Controller to keep track a record of the UEs locations on the network.

Regarding **claims 2 and 9**, Maggenti/Sarkkinen teach the method according to claim 1 wherein the dedicated channel is a Cell_DCH channel [0047-0063] of Sarkkinen.

Regarding **claims 6 and 13**, the combination of Maggenti/Sarkkinen teach the method according to claim 1, 2, or 4, wherein when the message is a message that indicates that the device should move into a dedicated channel state, the method further comprises clearing from the device any record of a cell identifier before moving to the dedicated channel state [0005-0009, 0034, 0041-0042, 0047-0063, 0077] of Sarkkinen.

Regarding **claims 7 and 14**, Maggenti/Sarkkinen teach the method according to claim 1 wherein when the message includes a new cell identifier, the method further comprises, in response to the message, not storing in the device any record of the cell identifier included in the message [0037-043, 0074] of Sarkkinen.

Regarding **claim 15**, Maggenti/Sarkkinen teach the mobile telecommunication device incorporating apparatus according to claim 8, (See Figs 2-12) of Sarkkinen.

Art Unit: 2617

4. Claims 4, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maggenti/Sarkkinen, in further view of Wu (US 2003/0210676).

Regarding **claims 4 and 11**, Maggenti/Sarkkinen teach the method according to claim 1, **but is silent on** wherein the cell identifier is a Cell Radio Network Temporary Identifier.

However, Wu teaches a wireless communications, telecommunication systems such as 3G or UTMS radio interface protocol architecture that implement in both the UTRAN and the UE, including an RRC layer to provide the mobility information of a Cell Radio Network Temporary Identifier (C_RNTI) used as UE to identifiers within an UTRAN in signaling messages between UE and UTRAN [0060].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Maggenti/Sarkkinen, such that wherein the cell identifier is a Cell Radio Network Temporary Identifier, to enhance the mobility of the user equipments connected over the radio network.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

Art Unit: 2617

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Vu whose telephone number is (571) 272-8131. The examiner can normally be reached on 8:00am - 6:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael T. Vu

Examiner



JOSEPH FEILD
SUPERVISORY PATENT EXAMINER